

IN THE CIRCUIT COURT OF HAMILTON COUNTY, TENNESSEE

MICHAEL WHITE, SUSAN WHITE,  
BOB MILLER, and JEANNIE MILLER,

Plaintiffs,

v.

RAINBRO, INC. and WINDSTONE  
DEVELOPMENT CO.,

Defendants.

CASE NO. 07C876

CASE NO. 11C665

CONSOLIDATED

RAINBRO, INC.,

Counter-Plaintiff,

v.

MICHAEL WHITE, SUSAN WHITE,  
BOB MILLER, STEPHANIE MILLER,  
and JEANNIE MILLER,

Counter-Defendants.

– and –

DAVID W. HAMMEL, JR.,

Plaintiff,

v.

MICHAEL WHITE, SUSAN WHITE,  
BOB MILLER, STEPHANIE  
MILLER, and JEANNIE MILLER,

Defendants.

Division IV

**AFFIDAVIT OF BUSINESS RECORDS CUSTODIAN  
PURSUANT TO TENN. R. EVID. 902(11)**

I, the affiant, Lou Ann Gross, having been duly sworn, hereby declare and state under oath as follows:

1. I am an adult over the age of 21. I reside in Clayton County, in the State of Georgia.
2. I am employed in Fulton County, in the State of Georgia, by the U.S. Environmental Protection Agency (EPA).
3. I have personal knowledge of the matters set forth in this affidavit.
4. The documents accompanying this affidavit are true and correct copies of records produced by the EPA in response to a request from Miller & Martin PLLC under the Freedom of Information Act.
5. The documents accompanying this affidavit are identified by the following Bates-labeled numbers: (a) RBH 006909 – RBH 006910.
6. I am a custodian of the above-mentioned records or I am otherwise a person qualified to provide the certification set forth in this affidavit.
7. I certify the following: (a) that the records accompanying this affidavit were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person or persons with knowledge of and a business duty to record or transmit those matters; (b) that the records accompanying this affidavit were kept in the course of regularly conducted activity; and (c) that the records accompanying this affidavit were made by the regularly conducted activity as a regular practice.

The affiant says nothing further.

x LouAnn Gross

Signature

LouAnn Gross

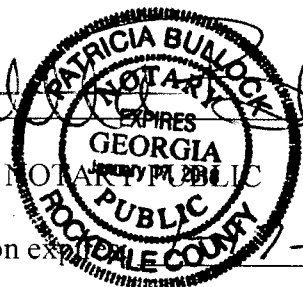
Print Name

STATE OF GEORGIA )

COUNTY OF FULTON )

Sworn to and subscribed before me this 26<sup>th</sup> day of September, 2014.

x [Signature]



My commission expires 12-18